

Sweet Hereafter with PLAN4ever.com” publication (the “PLAN4ever.com publication”) which discloses that funeral products may be sold online.

Applicants note, however, the cited PLAN4ever.com publication does not disclose, teach, or suggest that a funeral arrangement can be made by presenting an electronic selection guide page for funeral arrangements, which lists a plurality of selectable user actions for interactively guiding a user in planning a funeral and selecting said funeral arrangements as recited by amended claim 1. Further, the cited PLAN4ever.com publication does not disclose, teach, or suggest a funeral arrangement system including a computer running a funeral planning application that interactively guides a user through the planning of a funeral as recited by amended claim 11.

In particular, Applicants note that the cited PLAN4ever.com publication generally states that the services available on the PLAN4ever.com site include pre-planning, funeral services, condolences, and memorialization. It is note that under the “Preplanning” heading, the publication informs a reader that the site offers a selection of books ranging from coping with death to planning ahead, offered through an affiliation with Amazon.com. Under the “Funeral services” heading, the publication informs a reader that for urns and monuments - the largest selection and best prices online. Under the “Condolences” heading, sympathy cards and flowers can be ordered and sent, and donation can be given online. Under the “Memorialization” heading, inline obituaries and a virtual resting place may be created and shown. Therefore, it is noted that those listed “services” however, do not include an interactive guide to plan a funeral.

In fact, a user visiting the PLAN4ever.com site is provided with no interactive guide for planning a funeral, but instead is provided with a static general statement about funeral service planning, wherein a user is requested to first find a funeral home using a provided mortuary finder to locate an affiliated funeral home. A user must then contact the funeral home in order to plan a funeral, or first order a book from Amazon.com in order to know how to plan for a funeral, wherein the user following the guidance of a funeral home director or a book then purchases funeral products and services from the

PLAN4ever.com site. Applicants note that the PLAN4ever.com site is one of a number of piecemeal providers of funeral services and products, providing no interactive guidance on the planning of a funeral, wherein the combination of the PLAN4ever.com reference, suggesting only an informational portal and some funeral product selection (i.e., urns, cards, and flowers), with Yagasaki would fails to produce the recited invention.

The benefit of the present invention is that by interactively guiding a user through the planning of a funeral, the burden and stress placed on loved ones in having to make funeral arrangement decisions while dealing with grief is greatly reduced by not having to think about whether all the proper steps in the planning of the funeral have been accomplished. Also, using the present invention pre-need ensures that a person's end of life wishes are heeded, and that personal preferences, beliefs, standards and/or lifestyle of the person are reflective at the funeral.

With regards to the disclosure of Tavor et al., the examiner's conclusory statement that "it would have been obvious to one of ordinary skill in the art in view of the showing and teaching of the 'Preparing for the Sweet Hereafter With PLAN4ever.com' publication to save time and money by using the computer shopping system of Yagasaki to make funeral arrangements" does not adequately address the issue of motivation to combine. See, e.g., In re Lee, 61 USPQ2d 1430 (Fed. Cir., Jan. 18, 2002). This factual question of motivation is material to patentability, and cannot be resolved on subjective belief and unknown authority. It is improper, in determining whether a person of ordinary skill would have been led to this combination of references, simply to "[use] that which the inventor taught against its teacher." W.L. Gore v. Garlock, Inc., 721 F.2d 1540, 1553, 220 USPQ 303, 312-13 (Fed. Cir. 1983).

Although Tavor et al. uses multimedia presentations to help guide a user to retrieve desired products, there is no suggesting and/or motivation provided by the PLAN4ever.com publication to use multimedia presentations to sell funeral products and services. Further, it is noted that none of references cited, disclose or suggest the

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necessary teaching of interactively guiding a user in the planning of a funeral as recited by the claims. Accordingly, the examiner is requested to provide some teaching, suggestion, or motivation in the prior art to select and combine the references that were relied on to show obviousness, or remove the obviousness rejection to the cited claims.

The Applicants note the remaining prior art cited in the official action. As none of that additional art is applied by the Examiner against the claims of this application, the Applicant is not providing any comments concerning the same at this time.

#### CONCLUSION

Applicants respectfully submit that the present application is in condition for allowance. The Examiner is encouraged to contact the undersigned to resolve efficiently any formal matters or to discuss any aspects of the application or of this response. Otherwise, early notification of allowable subject matter is respectfully solicited.

Respectfully submitted,

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APPENDIX - A

*VERSION WITH MARKINGS TO SHOW CHANGES MADE*

1. (Amended) A computerized method for presenting, searching, selecting and maintaining funeral arrangement information contained in a database [provided by a funeral products distributor], the method comprising the steps of:

presenting an electronic selection guide page for funeral arrangements, which lists a plurality of selectable user actions for interactively guiding a user in planning a funeral and selecting said funeral arrangements;

displaying an electronic response page in response to selection of one of said plurality of user actions,[:] said electronic response page providing information on available funeral services and products in the database and enabling [a] selection of said available funeral services and products;

generating[compiling from a database] a summary list of [desired funeral arrangements]selected said funeral services and products in response to another selected user action; and

providing said summary list.

11. (Amended) A funeral arrangement planning system comprising:

a computer having a memory device storing information related to funeral products and services[service], and a display terminal for displaying said information [related to funeral services and products], said computer running a funeral planning application that interactively guides a user through the planning of a funeral, which accepts funeral arrangement data from a user and, when necessary, can access said information and said funeral arrangement data stored in said memory device and store said information and said funeral arrangement data to said memory device;

an input device for entering said funeral arrangement data and said information in said memory device and for selecting visual objects display on the display terminal related to said funeral planning and said funeral products and services; and,

a communication device for connecting to a remote server database of a distributor of said funeral products and services to update said information and said funeral arrangement data stored in said memory device and to provide said[provided] funeral arrangement data to said server database.